

**ASSEMBLY BILL**

**No. 2652**

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**Introduced by Assembly Member Anderson**

February 22, 2008

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An act to amend Section 5068.5 of the Penal Code, relating to prisoners.

LEGISLATIVE COUNSEL'S DIGEST

AB 2652, as introduced, Anderson. Prisoners: professional mental health providers: marriage and family therapists.

Existing law requires any person employed or under contract to provide mental health diagnostic, treatment, or other mental health services in the state correctional system to be a physician and surgeon, psychologist, or other health professional, licensed to practice in this state, except as specified. This licensure requirement may be waived in order for a person to gain qualifying experience for licensure as a psychologist or clinical social worker in this state.

This bill would also authorize the waiver for a person to gain qualifying experience for licensure as a marriage and family therapist.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

- 1 SECTION 1. Section 5068.5 of the Penal Code is amended to
- 2 read:
- 3 5068.5. (a) Notwithstanding any other provision of law, except
- 4 as provided in subdivision (b), any person employed or under
- 5 contract to provide diagnostic, treatment, or other mental health

1 services in the state or to supervise or provide consultation on these  
2 services in the state correctional system shall be a physician and  
3 surgeon, a psychologist, or other health professional, licensed to  
4 practice in this state.

5 (b) Notwithstanding Section 5068 or Section 704 of the Welfare  
6 and Institutions Code, the following persons are exempt from the  
7 requirements of subdivision (a), so long as they continue in  
8 employment in the same class and in the same department:

9 (1) Persons employed on January 1, 1985, as psychologists to  
10 provide diagnostic or treatment services including those persons  
11 on authorized leave but not including intermittent personnel.

12 (2) Persons employed on January 1, 1989, to supervise or  
13 provide consultation on the diagnostic or treatment services  
14 including persons on authorized leave but not including intermittent  
15 personnel.

16 (c) The requirements of subdivision (a) may be waived in order  
17 for a person to gain qualifying experience for licensure as a  
18 psychologist~~or~~, clinical social worker, *or marriage and family*  
19 *therapist* in this state in accordance with Section 1277 of the Health  
20 and Safety Code.